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मध्यप्रदेश राजापत्र

(असाधारण) प्राधिकार से प्रकाशित

क्रमांक 470]

भोपाल, बुधवार, दिनांक 1 अक्टूबर 2014—आश्विन 9, शक 1936

उर्जा विभाग
मंत्रालय, वल्लभ भवन, भोपाल

No. F-3-30-2011-13.—

Bhopal, the 1st October 2014

Preamble:

1. In accordance with stipulations in the provisions of Resettlement and Rehabilitation (R&R) Policy of Narmada Valley Development Department, Government of Madhya Pradesh, applicable for all Narmada Projects, M/s Shree Maheshwar Hydel Power Corporation Ltd. and Government of Madhya Pradesh have been taking all necessary steps for Resettlement and Rehabilitation, including providing civic amenities to displaced persons (oustees/PAPs) from submergence areas of Maheshwar Dam, Madhya Pradesh.

2. Complaints and grievances of oustees (PAPs), if any, relating to resettlement and rehabilitation are being attended to and necessary actions are being taken through existing machinery. However, in addition to the Appeal Mechanism as provided in Para 12 of the R&R Policy of Narmada Valley Development Department, the Government of Madhya Pradesh, Department of Energy *vide* Gazette Notification No 775-XIII-2012 dated 31st January, 2012 had empowered Commissioner, Indore and provided him with the authority, so that the oustees (PAPs), already resettled and to be resettled thereafter, can ventilate grievances for redressal, till the process of resettlement and rehabilitation is completed.

3. In supersession of the above Notification No. 775-XIII-2012 dated 31st January 2012, the Government of Madhya Pradesh is pleased to resolve as follows.—

Resolution:

1. The Government of Madhya Pradesh, hereby, resolves to establish, by notification, an Authority to be known as Grievances Redressal Authority for Maheshwar Hydro Electric Project Affected Persons (PAPs).

2. The Authority shall consist of a Chairman initially. However, based on the requirement of work and on the recommendations of the Chairman, Government of Madhya Pradesh may also consider appointing Member in the Authority.

3. The Chairman of the Authority shall be a retired District and Sessions Judge. The Member, if appointed, shall be a retired officer from the Administrative Services.

4. The 'Term' of the Authority shall be two (2) years from date of issue of this Notification. The 'Term' however can be extended further by the Government of Madhya Pradesh.

5. The Chairman may by a letter addressed to the Government, resign from office. The Chairman shall not be removed from the office except by an order made by the Government with the concurrence of the Hon'ble Chief Justice of Madhya Pradesh. Member, if appointed shall not be removed from the office, except on the recommendations of the Chairman.

6. The salaries, allowances and other terms and conditions of the Chairman and Member shall be determined separately by the Government, in consultation with the Chairman,

7. The Authority shall be provided with an establishment, office, employees as well as other amenities as may be necessary. The employees of the Authority shall discharge their functions and duties under the general superintendence and directions of the Chairman.

8. The Chairman shall exercise such financial and administrative powers as may be vested in him by the Government of Madhya Pradesh after consultation with the Chairman. Such financial and administrative powers may be delegated to an officer of the Authority, by the Chairman.

9. The appointment of Secretary shall be done by the Government on contract basis in consultation with the Chairman, for the term of the Authority or for any extended term, if any.

10. The Authority shall have the power and authority to decide its own methods to deal with complaints or grievances from a resettled oustee ensuring that such persons receive all benefits and amenities due to them in accordance with stipulation in and provisions in the Resettlement and Rehabilitation Policy of Narmada Valley Development Department, and the various orders/resolutions made from time to time in that behalf by the Government of Madhya Pradesh.

11. The Authority, without prejudice to the generality of overall supervision power, shall exercise the following powers namely.—

- (i) To set-up appropriate mechanism before which oustees (PAPs) would be enabled to lodge complaint/grievance in relation to any matter arising out of resettlement and rehabilitation.
- (ii) To devise a procedure by which the complaint / grievance may reach as expeditiously as possible to the Secretary of the Authority.
- (iii) To ensure that the complaint / grievance received by the Secretary or referred to him by the Authority is examined and, communicated to the persons and agencies concerned working under him as well as to the Authority.
- (iv) To take such steps as are necessary to satisfy itself that the grievances raised from time to time by the oustees (PAPs) have been suitably redressed at the appropriate levels.

12. The Authority may make rules, regulations or may frame guidelines for its practice and procedure.

13. The Authority or any officer nominated by the Chairman may tour the different Resettlement and Rehabilitation sites and such other areas to enquire into the complaints / grievances and for redressal thereof.

14. The Authority shall have the power to take assistance of any expert or instrumentality having expertise in the discharge of its functions.

15. Only the oustees (PAPs) can file grievances before the Authority, supported by an affidavit.
16. The decision and directions of the Authority in all matters relating to the redressal of complaints / grievances of oustees (PAPs) shall be final and binding on the State of Madhya Pradesh and all concerned including the oustees (PAPs). However, review application can also be filed on the limited ground of error in fact or law.
17. The order passed by the Chairman shall be deemed to have been passed by the Authority and shall have the validity of enforcement.
18. The Government of Madhya Pradesh shall take adequate steps to ensure that the oustees (PAPs) are informed that if they have complaint / grievance in the matter of their resettlement and rehabilitation and/or if they have any surviving grievance in connection therewith, it would be open to them to move to the Authority and seek relief.

By order and in the name of the Governor of Madhya Pradesh,
NEERAJ AGARWAL, Dy. Secy.